

Mayor's Term Length

4

- Purpose--change from 2 yrs to 4 yrs
- Background--direct elected for 25 yrs
- Process--research, public info, interviews
- Pros
 - Continuity in office
 - Continuity in regional groups
 - Campaigning reduced
- Cons
 - Accountability
- Recommendation--put the change on the ballot

Mayor's Term Length

Additional Follow up After Initial Presentation

- There were 3 open issues brought up after the initial presentation. The Mayor and City Council requested that the following items be researched and brought back for results.
 1. Public Input regarding Mayor's Term Limits
 2. Specific Wording on what to place on the ballot
 3. Term Limits for existing Mayor and Council Members

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Public Input (Survey)

- Surveys were handed out to other Commissioners, Public Library, CAC meetings, Ethics Forum, Community events, Milpitas Lions Clubs, Churches, Friends & Neighbors.
 - Survey Figures: Total Surveyed = **92**
 - (YES) In Favor of extending Mayor Term to 4 Years= **77 (84 %)**
 - (NO) Against extending the Mayor Term to 4 Years= **15 (16 %)**
-
- (YES) In Favor of limiting Mayor to Two consecutive 4 yr terms = **69 (75 %)**
 - (NO) Against limiting Mayor to Two consecutive 4 yr terms = **8 (9 %)**
 - (Undecided) Question was left Unchecked = **15 (16 %)**

Mayor's Term Length

Public Input (Hearing)

Held on April 7, 2004 at 9:00 pm in Milpitas City Hall

1. Karen Serpa, Unincorporated Area – Ms. Serpa stated that she feels the Mayor's term limit should remain as a 2-year term.
2. Ed Connor, 1515 N. Milpitas Blvd – Mr. Connor stated that the state voted for a 2-year term. He discussed how things have changed over the years, but asserted that his opinion is that 2-years is appropriate.
3. A letter was read by CAC Chair Iloreta from Mareile-Angly Ogle who was in favor of 4 year mayor term. Please see attachment X-A

Mayor's Term Length

Item #2 Specific Wording on what to place on the ballot

1. Beginning in 2008, shall the Mayor's term length be extended from 2 years to 4 years, the same as other members of the City Council?

_____ YES

_____ NO

2. If you answered Yes with question #1, beginning in 2008, shall the Mayor be limited to two consecutive 4-year elective terms?

_____ YES

_____ NO

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Item #3 Term Limits for existing Mayor and Council Members

If the vote is approved by the citizens of Milpitas, the new Mayor's 4-year term would begin in 2008 (larger election year)

- Current mayor would be ineligible if re-elected in 2004 & 2006 due to existing term limits.
- If a new Mayor is elected in 2004 and re-elected in 2006, they could run again in 2008 (Term Length = 8 years)
- If a new Mayor is elected in 2006, they can run again for one more term in 2008 (Term Length = 6 years)

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MAYOR (and Councilmember) TERM LIMITS

The Municipal Code would be revised to read (the changes are in bold):

"A person may serve a maximum of three consecutive terms as a City Councilmember. A person may serve a maximum of two consecutive elective terms as Mayor. However, if a Councilmember is elected Mayor or the Mayor is elected Councilmember, that person may serve a combined total of no more than four consecutive elective terms. At any municipal election after the expiration of two years following said consecutive elective terms, such former Councilmember or Mayor may again seek election as a City Councilmember or as Mayor.

Examples:

3 terms as Councilmember (4yrs x 3)	12yrs
3 terms as Councilmember, 1 term as Mayor (4yrs x 4)	16yrs
2 terms as Councilmember, 2 terms as Mayor (4yrs x 4)	16yrs

Current code:

I-400-1 Term Limits

A person may serve a maximum of three consecutive elective terms as either a City Councilmember or as the Mayor. However, if a Councilmember is elected Mayor or the Mayor is elected Councilmember, that person may serve a combined total of no more than four consecutive elective terms. At any municipal election after the expiration of two years following said consecutive elective terms, such former Councilmember or Mayor may again seek election to City Council or as Mayor. (Ord. 244 (part), 5/17/96)

Examples:

3 terms as Councilmember (4yrs x 3)	12yrs
3 terms as Councilmember (4yrs x 3), 1 term as Mayor (2yrs x 1)	14yrs
2 terms as Councilmember (4 yrs x 2), 2 terms as Mayor (2yrs x 2)	12yrs
1 term as Councilmember (4yrs x 1), 3 terms as Mayor (2yrs x 3)	10yrs

Mayor's Term Length

	1990	1991	1992		1994		1996		1998		2000		2002		2004		2006		2008
Mayor Esteves									Council			Mayor							
Vice Mayor Dixon							Council				Council								
Councilmember Livengood		Council*		Council			Council				Council								
Councilmember Polanski													Council						
Councilmember Gomez													Council						
* Special Election																			
**Source Milpitas 50th Anniversary Book																			

Mayor's Term Length

Final Thoughts

Let the People Decide

Report to the City Council Regarding Changing the Term Limit for the Mayor

Purpose of the study

Assess the need to change the term length of the Mayor of Milpitas from 2 years to 4 years.

Background

For more than 25 years, the Mayor of Milpitas has been elected directly by the citizens during elections every 2 years. Prior to that time, the Mayor was elected each year by the City Council on a rotating basis. The impetus for the change 25 years ago was to ensure a balance of continuity in the position for the mayor and the mayor's accountability to the voters.

After the 2002 election for mayor, there were questions about why it seemed the mayor seemed to be campaigning almost continuously and why other cities had mayors with 4-year terms. Early in 2003, the CAC presented to the City Council a request to study the term length from a citizen's perspective and to recommend or not recommend a change to the term length to the City Council.

There are several alternatives that are in common use to elect the mayor of a city:

- The mayor may be directly elected by the voters for a 2-year term or a 4-year term.
- The mayor may be selected from the council using several methods including election by the members of the council for a 1, 2, or 4 year period, rotating the mayor position every 1 or 2 years, and selecting the mayor from among the council members with the most votes from the people.

Because the voters of Milpitas have already departed from the second approach to selecting the mayor directly, this study will concentrate only on the question of whether the term length should be changed from the current 2 years to 4 years which would be consistent with other members of the City Council.

The Study Process

A 4-person sub-committee of the CAC conducted an investigation to determine the pros and cons of changing Milpitas' Mayoral term from 2 years to 4 years. The investigation consisted of three tasks:

- Perform an Internet search of news media and other general information
- Contact public policy and government sources
- Interview former mayors and knowledgeable citizens

Information from Internet sources

Please see Attachment 1 for information from newspapers.

Information from public policy source

Based upon a survey concerning term length by Paul Lewis, Program Director, Public Policy Institute of California, the following information about mayor's term length was obtained.

- Of the 474 cities that existed in California in 2000, responses were received from 384 cities. Of those 384, 186 cities (48 percent) had a 1-year term for the mayor, 127 (33percent) had a 2-year term, and 71 (18 percent) had a 4-year term.
- In addition, it was possible to break down the totals depending on whether the voters of the city directly elect the mayor or whether the mayor sits as part of the council. Of the 132 cities where voters directly elect a mayor, 51 percent have a 2-year mayoral term and 49 percent have a 4-year term.
- In the 204 cities where the council members ballot among themselves to pick the mayor, 70 percent of the cities give the mayor a 1-year term, 27 percent a 2-year term, and only 3 percent a 4-year term.
- In the 37 cities where the council members simply take turns rotating the mayors position, all 37 give the mayor 1-year in office. In the 6 cities where the council member receiving the most votes in the election automatically becomes mayor, half give the mayor a 1-year term and half a 2-year term.

Interviews of former Mayors and other citizens

In favor of 4-year term for Mayor of Milpitas:

- Former Mayor Henry Manayan
- Former Mayor and current City Council Member Bob Livengood

Not in favor of 4-year term for Mayor of Milpitas:

- Knowledgeable political observer Karen Serpa
- Former Mayor and current County Supervisor Pete McHugh

Note: A special thanks to the above former mayors and citizens for taking the time to share their views with the CAC subcommittee. The interviews were extensive and the analysis below includes their thoughts and perspectives.

Analysis

Factors in favor of changing the mayor's term length from 2 years to 4 years

- **Continuity in office.** Changing the mayor's term length would permit a more extensive agenda and permit the execution of the agenda. The mayor could establish a longer view

on Milpitas issues and ensure his/her availability. Many of the needs of the future Milpitas may require long term vision and involvement. Current examples include the new library, the new senior center, the development of the mid-town area, and economic development. The advantage of a mayor with a long-term plan and the time to execute the plan may prove to be significant.

- **Continuity in regional groups.** In addition, having a mayor with a 4-year term would allow for greater influence in regional groups, governmental and legislative groups, and, potentially, national level mayoral organizations. The value of having a longer-term mayor is that it could increase the influence of Milpitas within a larger environment.
- **Campaigning reduced.** Changing to a 4-year term would, obviously, reduce the need for campaigning, which would have two immediate effects: (1) it would reduce the distractions for the mayor caused by having to virtually campaign continuously for the 2-year elections, and (2) it would reduce the need to garner campaign funds and minimize the potential for undue influence by moneyed interests.

Factors against changing the mayor's term length from 2 years to 4 years

- **Accountability.** Electing the mayor every 2 years has the advantage of ensuring the mayor is accountable to the electorate. A mayor embarking upon a direction not supported by the populace would face the power of the electorate each 2 years. A mayor running for re-election every 2 years would be responsive to the electorate.

Discussion

From the data collected on other cities that directly elect a mayor, the 51 percent that elect a mayor for 2-year terms compares virtually equal to the 49 percent of cities that elect a mayor for a 4-year term. The cities that had 4 year term mayors were consistently larger cities, some with strong mayor positions, while many were with strong city managers. Most charter cities had mayors with 4-year terms.

In the past 25 years, Milpitas voters have consistently elected highly qualified people to serve as their mayor. This is due to the strong, community-minded individuals who have run for office, the perceptiveness of the electorate, and the strong accountability created with 2-year terms of office.

The position of mayor of Milpitas should emphasize leadership. Milpitas has, in the past and will continue into the future, faced numerous challenges that will require continuity in vision, planning, and execution, especially the ability to build and maintain a consensus within the City Council. A new senior center, new library, mid-town implementation, and significant transportation issues will require a long-term view for Milpitas and a keen understanding of finance, revenue, and regional matters.

Campaigning for re-election every 2 years can be viewed as a distraction that could be minimized with a 4-year term. The need to almost continually campaign for votes, search for

funds, and maintain positions on issues that will be acceptable to voters, puts the mayor into an unenviable position.

Recommendation

Based on a study of experience from other cities, public policy information, and interviews with knowledgeable people, the CAC recommends placing the question of changing the Mayor's term length from 2 years to 4 years on the ballot for voter approval. While citizen concern over accountability of the Mayor to the electorate is a valid concern, the high quality of candidates elected to the Milpitas City Council and as Mayor over the past years minimizes this concern. Of greater concern is the need for the Mayor to establish a level of continuity in the role, to have a regional perspective, and to minimize the need to continually campaign.

Attachment 1

Two-or Four-Year Terms for Mayors?

LUPO, ALAN The Boston Globe

Byline: LUPO, ALAN

ISSN: 07431791

Publication Date: 07-07-2002

Page: 4

Section: Globe North

Type: Newspaper

Language: English

GLOBE NORTH 1 / ALAN LUPO

The way Everett City Clerk and mayoral hopeful John Hanlon figures it, a local pol with brainpower who becomes mayor can figure out the job pretty quickly, and never mind all this talk about learning on the job. If Everett voters this fall approve changing the mayor's term in office from two to four years and if he is elected mayor in 2003, "the first thing I'll do is push to get this back to two years."

His opponent, Mayor David Ragucci, contends Hanlon's criticism is all wet. "I served 18 years in city government before I ran for mayor," he says, "and I felt when I won that I pretty much knew everything I needed to know about running a city. Boy, was I wrong. The learning curve on this job is straight up. I don't care how many years you've had in government."

If Everett voters approve the change, the city will join Malden, Lynn, Salem, and, come next year's municipal election, Revere as the only communities north of Boston with the term of office that Boston's mayors have enjoyed since 1910, though Salem is divided over the issue and might revert to the traditional two- year term still used in Amesbury, Beverly, Gloucester, Haverhill, Melrose, Newburyport, and Peabody. Chelsea's chief executive is a city manager, not a mayor.

Supporters of four- year terms contend that mayors need time to grasp the job, impose their own style, and set a vision for the future. A two- year run, they argue, barely gives an incumbent time to do much of anything except learn the essentials and then campaign for reelection. "I think the four- year term is obviously the one that lends itself to long-range planning and allows you to at least begin to do things that you can do now that you're off the two- year election cycle," says Malden Mayor Richard Howard, who served two two- year terms and is now in the midst of his first four- year term. "In 1996, when I first came in, I put in place a school building program that took five years to roll out. Having a four- year term gives you some leeway."

Critics of four- year terms argue that the two-year alternative keeps mayors on their toes and worry that once an incumbent is in for four years, he or she is hard to dislodge. "I prefer two years because it's a question of accountability," says Peter Torigian, who was Peabody's mayor for 12 consecutive two-year terms. "If you elect someone who may not be able to do the job,

you're stuck with him for four years. Tremendous damage can be done in four years if someone is not up to the standards of providing services." Not all cities have recall provisions, which enable you to oust an incompetent, and even in those communities that have that leeway, the process can get pretty nasty.

Whatever the pros and cons, the move from two to four years seems to have gained some momentum north of Boston. The two- year term was a standard until Malden voters changed that in 1999, and Lynn, Salem, and Revere voters approved similar ballot questions last year. Salem Mayor Stan Usovich says he and his organization will fight to keep the four- year terms. Beverly Mayor Thomas Crean, elected last year to a two- year term, says he'd like a charter review commission to study the four-year alternative.

"I'd make a quick analogy to governors," says John Portz, an associate professor of political science at Northeastern University and a Watertown town councilor. "About 150 years ago, governors served one year, then two years, then four years. Today, almost all have gone to four years. The same type of transition may happen with cities, certainly more likely with larger cities than smaller ones."

Stephen Goldsmith, mayor of Indianapolis for two four- year terms, an adviser to President Bush, and now a professor at Harvard's John F. Kennedy School of Government, runs through the pros and cons of two- and four- year terms, and then cautions, "The problem with resolving issues like this is that it's really dependent on the person."

The perception of how that person is doing depends, in part, on how others who lust for the office describe the incumbent. As Newburyport City Clerk John Moak notes, when asked why the city hasn't changed the mayor's term, "First, the act of making a change is always difficult. Second, it depends on who's proposing it. The mayor? Councilors? There's always a question of motive, and there's always apprehension about that motive."

Alan Lupo can be reached at lupo@globe.com.

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Four-year term for mayor urged

ELIZABETH GUDRAIS JOURNAL STAFF WRITER

Providence Journal

Byline: ELIZABETH GUDRAIS JOURNAL STAFF WRITER

Edition: Blackstone Valley

Section: News

CUMBERLAND - As soon as a mayor gets into office, he starts campaigning for reelection. That's the complaint that, in part, prompted the town's Charter Review Commission to propose doubling the length of the mayor's term, from two to four years. Time flies fast, said Charter Review Commission Chairwoman Bonnie Large. The commission wanted to give the mayor more time to get projects done. The term extension is one of 28 proposed changes to the Town Charter that come before the Town Council tonight.

The council will hold a public hearing on each proposed change before voting on it, Council President Jeffrey J. Mutter said yesterday. The measures the council approves will be put on the ballot in November for voters to approve or reject. Besides the mayoral term extension, the proposed changes include a term extension for the School Committee, abolition of the Budget Board and the Personnel Board, and creation of a Water Board and a Human Resources Department, among others.

Mayor Daniel J. McKee said he neither supports nor opposes the term extension. I don't really feel strongly one way or the other, he said. There are advantages to both sides. Mutter said he opposes the term extension because he thinks it would lessen the mayor's level of accountability. However, he said he might be persuaded to approve the measure tonight so the question could be put to voters.

If there's a feeling on the council that they don't want to take a stand on it, and they want to let the people decide, then I won't stand in the way of that, he said. Because the change would be on the ballot in the same election in which voters choose a new mayor, the change would not affect the next mayor. It would take effect with the 2004 election. The commission also proposed a mayoral term limit, so a person could serve only two consecutive terms as mayor.

Another proposed change would increase the term of School Committee members from two years to four. They have many personnel issues that the Town Council does not have to deal with, Large said. The committee has three major contracts it regularly negotiates, and it could have to start over if an election occurs in the middle of negotiations, she said. The changes would eliminate the Personnel Board and create a Department of Human Resources instead. The new department would be headed by a director appointed by the mayor, with the approval of the Town Council.

The Department of Human Resources is something very much needed and long overdue, said Large, citing legal concerns. The new department would handle such matters as vacation time, benefits, and sexual harassment policies and complaints. Currently, those responsibilities are split between the heads of individual departments and Finance Director Thomas M. Bruce III, who is also the acting personnel director. The Personnel Board, McKee said, recently has not

been an active board. Neither McKee, Bruce, nor the town clerk's office knew when the Personnel Board had last met. The changes would also eliminate the eight-member Budget Board, which holds hearings on each town department's budget proposal each spring. The Budget Board revises the departments' proposals and submits them to the mayor, who uses them to create his proposal.

Although these people put in tireless hours going through the budget, they are basically just advisory, Large said. They're not there day to day, so they don't know why a department head might need an extra person or want another car. McKee said he did not support eliminating the board; rather, he said he felt its responsibilities should be expanded. He said he would involve the board year-round, in a monitoring and advisory capacity, instead of for just a couple of months each spring. There's a tremendous amount of experience on the Budget Board, he said. It should be an active participant in terms of scrutinizing the budget, not just at budget time, but during the year.

The commission also recommended that the town create a seven- person Water Board, with three members appointed by the mayor and four by the Town Council. It would be to oversee the functions of the Water Department. The water superintendent would report to the new board, which could have the power to tax, to send out bills, and to approve repairs to the water system, Large said. The proposed changes are the result of eight months of meetings of the nine-person Charter Review Commission. Many of the changes were proposed by town department heads and elected officials, Large said.

The other members of the review commission are Antonio Albuquerque, Kevin Crawley, William H. Harig, Michael Kelly, Michael Kinch, Theresa McMichael, Alan Tainsh, and Darlene Wood. The committee must revise the charter at least once every 10 years. The last revision was in 1995, Large said.

Tonight's meeting is at 7 at Town Hall.

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4-year terms for mayor rejected by council, 4-2

MICHAEL SMITH Journal Staff Writer Providence Journal

Byline: MICHAEL SMITH Journal Staff Writer

Edition: Blackstone Valley

Section: News

The city's Home Rule Charter Commission had recommended that extended mayoral terms be put on the November ballot, a move that city voters voted down in 1995.

* * *

WOONSOCKET - The City Council last night defeated a proposal to let voters decide whether the mayor's term of office should be extended to four years. Had the council approved the proposal, the option of extending the term from two to four years would have been placed on the November ballot. It would have applied to the mayoral candidate who won in the same election. The city's Home Rule Charter Commission, appointed to suggest updates and changes to the charter, recommended the four- year term, saying it would allow mayors to settle into office before having to prepare for another election.

But opponents of the measure said that establishing a four- year term would make the city's mayors less responsive to voters' concerns and would reduce voter turnout for some City Council elections. City Council members are elected every two years, and some said fewer voters would show up to cast ballots if a mayoral race wasn't on the ballot. City Council members who voted against a four- year term also disagreed with the argument that mayors have to be concerned about raising money for another campaign shortly after they begin their terms. It doesn't cost that much money in Woonsocket, said City Councilman Vincent P. Ward. We're not running for state office.

A proposal to give the mayor, City Council members and School Committee members four- year terms was on the ballot in 1995, and voters turned it down. City Councilman Normand J. Laliberte, who served on the charter commission, said members of the commission thought voters would be more likely to be in favor of extending the term of one city office rather than three. It was felt that four- year terms would allow a person to govern longer before they have to go out and campaign again, Laliberte said of the proposal last night.

Laliberte was in favor of putting the measure on the ballot, as was City Councilman J. Michel Martineau. But City Council President Robert G. Jalette Sr. and council members Suzanne E. Pouliot, Leo T. Fontaine and Ward were against it. City Councilwoman Suzanne J. Vadenais was ill and unable to attend last night's meeting. Pouliot offered a compromise on the proposal. She tried to amend it to say that the mayor would have a four- year term, but with a two- term limit. That amendment failed because City Council members who were completely against a four- year term wouldn't go along with it.

(Copyright 2001)

Term limits in, out as two cities fix charters

Larry Hartstein, Staff The Atlanta Journal and Constitution

BYLINE: Larry Hartstein, Staff

EDITION: Home

SECTION: Gwinnett Extra

While Snellville moves to impose term limits on its mayor and City Council, Berkeley Lake is going in the opposite direction. The city of 1,600 on the Gwinnett-Fulton border is eliminating its two-term limit for the mayor. "In Snellville, they're coming from a slightly different situation than Berkeley Lake is," Berkeley Lake council member Ken Massaroni said, noting that former Snellville Mayor Emmett Clower served 26 years. "The conclusion of our council was that if we can find a good candidate who wants to serve for many years, we don't want to rob the citizens of the opportunity to vote for that individual." Berkeley Lake's new charter has won approval from the General Assembly and awaits Gov. Roy Barnes' signature to become law. Snellville's new charter --- which includes term limits --- has passed the House and is pending in the Senate.

In addition to removing mayoral term limits, the key changes in Berkeley Lake's charter would extend council terms from two to four years and stagger those terms. Massaroni said he examined the city charters of a dozen municipalities in metro Atlanta and found that all use four-year council terms and most stagger those terms. "We've run into a situation where in the last two elections, the council has virtually completely turned over. Four of the five members this time are new, and last time all the members were new," he said. "We realized that we spent the better part of half a year, maybe longer, coming up to speed on issues started by the previous council. . . . It wasn't serving the citizens best."

Berkeley Lake will introduce the staggered system in this fall's election. In the race for council seats, the top three vote-getters will win four-year terms, and the next two highest vote-getters will serve two-year terms. The mayoral winner also will serve a two-year term. Starting in 2004, the mayor's term will be four years. Mayor Lois Salter, who is in her first term, said she has not decided whether to seek a second. But she believes that doubling the mayor's term to four years and eliminating the two-term limit will benefit the city. "The mayor can be a better advocate for the city if he or she has been able to develop some knowledge of the people in the state and the county and develop some relationships," Salter said. "You do build some knowledge base and skill base and connections with people over time that can serve the city better." The mayor's job in Berkeley Lake pays \$9,400 annually, and a council post pays \$900 a year.

Snellville's new charter will restrict the mayor to eight years and council members to 12 years, but all would be eligible to return to office after a one-term absence. Those limits will apply to current elected officials starting with their next term.

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Cranston Political Briefs - DeJesus urges voters to retain four-year terms for mayor

Providence Journal
Edition: West Bay
Section: News

Dennis DeJesus, Republican candidate for a citywide City Council seat, has urged voters to approve four- year terms for mayor. Mayor John O'Leary is serving a four- year term - which will be the final one unless voters reverse a 1998 referendum decision to go to two- year terms. The referendum on the Nov. 7 ballot offers the voters two choices: four- year terms with a two- term limit or two- year terms with a four- term limit.

Since the 1960s we have had a four- year term for mayor and we must return to that format, DeJesus said. A two- year term would mean that the incumbent mayor would be continually running for reelection rather than focusing on moving the city forward, developing long- range economic plans and developing quality programs to enhance the quality of life we enjoy in our city.

Another issue is attracting quality people to work for the city administration, he said. It would be virtually impossible to attract qualified, professional people to serve in city government if you could only guarantee two years of employment, DeJesus said. Who would leave their current position for only a two- year guarantee?

Salem Mayor Term Issue Returns

John Laidler, Globe Correspondent The Boston Globe

Byline: John Laidler, Globe Correspondent

Edition: THIRD

Section: Globe North

Memo: GLOBE NORTH 2

Just how long a mayor should serve before facing the voters again has resurfaced as an issue of contention in the city. In 1999, residents approved a referendum that increased from two years to four years the term of Salem's mayors, effective with last year's elections. But a commission that is developing proposed revisions to the city charter voted Nov. 13 to include in that proposal a provision returning the term of mayor to two years, effective with the 2005 election. The vote was 6-2, with one member absent.

Provided the commission completes the charter plan by next May, it will be placed on the city election ballot next November. The issue promises to be a source of debate in the coming year. Opponents of the change, including City Councilor at large Thomas H. Furey, who led the original campaign in support of the four-year term, and Mayor Stanley J. Usovicz Jr., say they plan to speak out against the charter plan because of the mayoral term provision.

Salem is among four area communities that have recently adopted the four-year mayoral term — the others are Lynn, Malden, and Revere. Everett voters rejected the idea in a referendum last month. Salem residents last fall voted to create the charter commission, and on the same ballot to elect the panel's nine members. Salem's charter, originally adopted in 1916, was revised once before, in the early 1980s, according to City Clerk Deborah Burkinshaw.

Furey, one of two charter commissioners to vote against returning to a two-year term — the other was former mayor Jean Levesque — noted that the four-year term only took effect with last year's election. "The concept didn't even get a chance," he said. But commission chairman Mark E. Blair, a former city councilor, said that the referendum to extend the mayor's term had "passed slimly," referring to the 5,377 to 4,718 vote. "A lot of people didn't understand that it was binding," added Blair, referring to the 1999 vote.

Blair, who was an unsuccessful challenger to Usovicz in the 1999 mayoral election, said the proposal to reduce the mayor's term was not aimed at the present mayor. "We're looking at 50 to 100 years here," he said. "We're not looking at the personalities involved." Blair said proponents believe it makes sense "that the mayor check in every two years to see how the residents feel about the job he's doing." He noted that Salem voters have traditionally given new mayors "the benefit of the doubt," evidenced by the fact that it has been more than half a century since a first-term mayor lost a bid for a second term — the last one-term mayor was Joseph B. Harrington, who served from 1948 to 1949.

Commission member James T. Ryan, another supporter of returning to a two-year term, said that "four years is too long a time" between mayoral elections. "If a mayor gets in there and is not working out or taxes are going up, you are stuck" with the person for four years, said Ryan, a former School Committee member and park and recreation commissioner who was also a 1999

mayoral contender. But Usovicz said the four-year term "gives you the ability to plan and not react at every instance in a political way."

"From my point of view, having served in that office for five consecutive terms, you are always campaigning," Levesque said. Having four years in office "helps you to be able to set up your own boards and commissions and be able to accomplish some things you want to do."

Furey said the four-year term helps ensure "we get better people running for office. You get a better caliber professional when they know they don't have to run every two years. It's very hard on their family, friends, and relatives to be part of a campaign every two years."

Illustrations/Photos:

Caption: STANLEY J. USOVICZ JR.

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1. Beginning in 2008, shall the Mayor's term length be extended from 2 years to 4 years, the same as other members of the City Council?

_____ **YES**

_____ **NO**

2. If you answered Yes with question #1, beginning in 2008, shall the Mayor be limited to two consecutive 4-year elective terms?

_____ **YES**

_____ **NO**

3. Term Limits for existing Mayor and Council Members

- If the vote is approved, the new Mayor's 4-year term would begin in 2008 (larger election year)
- Current mayor would be ineligible if re-elected in 2004 & 2006 due to existing 3 term limit.
- If a new Mayor is elected in 2004 and re-elected in 2006, they could run again in 2008 (Term Length = 8 years)
- If a new Mayor is elected in 2006, they can run again for one more term in 2008 (Term Length = 6 years)

MAYOR (and Councilmember) TERM LIMITS

The Municipal Code would be revised to read (the changes are in bold):

"A person may serve a maximum of three consecutive terms as a City Councilmember. A person may serve a maximum of two consecutive elective terms as Mayor. However, if a Councilmember is elected Mayor or the Mayor is elected Councilmember, that person may serve a combined total of no more than four consecutive elective terms. At any municipal election after the expiration of two years following said consecutive elective terms, such former Councilmember or Mayor may again seek election as a City Councilmember or as Mayor.

Examples:

3 terms as Councilmember (4yrs x 3)	12yrs
3 terms as Councilmember, 1 term as Mayor (4yrs x 4)	16yrs
2 terms as Councilmember, 2 terms as Mayor (4yrs x 4)	16yrs

Current code:

I-400-1 Term Limits

A person may serve a maximum of three consecutive elective terms as either a City Councilmember or as the Mayor. However, if a Councilmember is elected Mayor or the Mayor is elected Councilmember, that person may serve a combined total of no more than four consecutive elective terms. At any municipal election after the expiration of two years following said consecutive elective terms, such former Councilmember or Mayor may again seek election to City Council or as Mayor. (Ord. 244 (part), 5/17/96)

Examples:

3 terms as Councilmember (4yrs x 3)	12yrs
3 terms as Councilmember (4yrs x 3), 1 term as Mayor (2yrs x 1)	14yrs
2 terms as Councilmember (4 yrs x 2), 2 terms as Mayor (2yrs x 2)	12yrs
1 term as Councilmember (4yrs x 1), 3 terms as Mayor (2yrs x 3)	10yrs

Final Thoughts

Let the People Decide

X-A

* MARIE-ANGY OGLE * 1472 PASHOTE COURT * MILPITAS * CALIFORNIA 95035 *

Febr. 15

ARSENIO ILORETA

Community Advisory Commission of MILPITAS

Dear Sir: Could I possibly hope that you'd find the time to either read to your fellow commission members... or at least submit for a "formal record" my herby enclosed, fervent appeal re our - and all the future - mayors' TERM OF SERVICE?

Thanks in advance -

Mariela Ogle,
whose own Dad - Dr. Franz Josef Huber - served in the Bavarian parliament from 1946-54 (and his premature death of sheer overwork) and had at least FOUR yr. terms, yet those were barely sufficient, to get all done, this dedicated "workaholic" hoped to accomplish! I thus KNOW - not just a hypothesis - that 2 yr. service terms are an UNFUNNY joke, benefiting no-one!

SURVEY ON MAYOR'S TERM LENGTH / TERM LIMIT

Conducted by the
City of Milpitas
Community Advisory Commission (CAC)

**1. Shall the Mayor's term length be extended from 2 years to 4 years,
the same as other members of the City Council?
[For pros and cons, please see reverse.]**

_____ **YES (Please go to question 2.)**

_____ **NO (Thank you. You're finished with the survey.)**

**2. Shall the Mayor be limited to two consecutive elective terms?
[For proposed new text/language of the code, please see reverse.]**

_____ **YES (Thank you. You're finished with the survey.)**

_____ **NO (Thank you. You're finished with the survey.)**

Name: _____

Street address: _____

_____ MILPITAS CA 95035 _____

Telephone number: _____

Please return completed survey to the CAC member conducting the survey or,
if you prefer, mail it to:

Arsenio R. Iloreta
Chair, Community Advisory Commission
782 Canada Dr
Milpitas, CA 95035

MAYOR'S TERM LENGTH

PROs

Continuity in office. Allows the mayor to have a more extensive agenda and execute the agenda. Many of the needs of the future Milpitas require long-term vision and involvement. Current examples include the new library, the new senior center, the mid-town area, and economic development.

Continuity in regional groups. Allows for greater influence in regional groups, governmental and legislative groups, and, potentially, national level mayoral organizations.

Campaigning reduced. Reduces the need for campaigning, which would have two immediate effects: (1) it would reduce the distractions for the mayor caused by having to virtually campaign continuously for the 2-year elections, and (2) it would reduce the need to garner campaign funds and minimize the potential for undue influence by moneyed interests.

CON:

Accountability. Electing the mayor every 2 years ensures the mayor is accountable to the electorate. A mayor embarking upon a direction not supported by the populace would face the power of the electorate each 2 years.

MAYOR (and Councilmember) TERM LIMITS

The Municipal Code would be revised to read (the changes are in bold):

"A person may serve a maximum of three consecutive terms as a City Councilmember. A person may serve a maximum of two consecutive elective terms as Mayor. However, if a Councilmember is elected Mayor or the Mayor is elected Councilmember, that person may serve a combined total of no more than four consecutive elective terms. At any municipal election after the expiration of two years following said consecutive elective terms, such former Councilmember or Mayor may again seek election as a City Councilmember or as Mayor.

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1 term as Councilmember (4yrs x 1), 3 terms as Mayor (2yrs x 3)	10yrs

Results of Public Survey

	LastName	FirstName	Address					Source	4-year term		2-term limit		
									Yes	No	Yes	No	
1	Lamb	Laloni	553 Sark Ct	Milpitas	CA	95035	263.4841	Global Village	1-May	x		x	
2	Lin	Teresa	1184 Traughber				283.8326	Global Village	1-May	x		x	
3	Okafor	Cyprian	1000 Chipman Okafor				262.7150	Global Village	1-May	x		x	
4	Yang	V.	652 Prada Dr					Global Village	1-May	x		x	
5	Pan	Eugene	905 Rain Dance					Global Village	1-May	x		x	
6	Soth	Michael	2231 Edsel Dr				935.9285	Global Village	1-May	x		x	
7			Erle Cir					Global Village	1-May		x		NBO Booth Visitor
8	Sawardkar	Ramkrishna	1775 Milmont Dr #R106				935.9392	Global Village	1-May	x		x	
9	Carpenter	Linda	132 N Park Victoria Dr				941.9740	Global Village	1-May	x		x	
10								Global Village	1-May		x		NBO Booth Visitor
11	Doralal	Ramesh	1980 Linden Ln				946.6980	Global Village	1-May	x		x	
12	Das	Vishno	2292 Dubois St				946.6954	Global Village	1-May	x		x	
13	Khatiri	Ibrahim	1407 Platt Ave				946.8397	Global Village	1-May				(three year-term)
14	Butani	Hiro	215 Granite Ct				946.8132	Global Village	1-May	x		x	
15	McClary	George	1523 Ellis					Global Village	1-May		x		
16	Aldeva	Joe						Global Village	1-May	x		x	
17	Wells	Jed	1325 E Calaveras Blvd					Global Village	1-May	x		x	
18	Fifield	Patricia	459 Walnut Dr				262.3869	Parish Adv Cncl		x			x
19	Love	Kelth	282 Ontario Rd				945.0531	Parish Adv Cncl		x		x	
20	Armstrong	Lee					241.1125	Parish Adv Cncl		x		x	
21	Gaudinez	Ron	806 Nieves Ct				262.8248	Parish Adv Cncl		x		x	
22	Nguyen	Duy	459 Bixby Dr					Work/AMAT		x		x	
23	Woldyjak	Laminda	1802 Everglades Dr					Food Pantry		x		x	
24	Mason	Brian	297 Fairmeadow Way					Food Pantry		x		x	
25	Maniquiz	Grace	928 Canada Dr				945.8985	Gill Park		x		x	
26	Caspellan	Domingo	923 Hillview Dr				262.7650	Gill Park		x		x	
27	Bowns	R	731 Tramway Dr					Gill Park		x		x	
28	Walker	Geoff	799 Valencia				945.0654	Gill Park		x		x	
29	Smith	Rena	1318 Calle Oriente #2				946.0361	Food Pantry			x		
30	Butler	Brenda	1188 N Shirley				941.9381	Food Pantry			x		
31	Babasa	Vic	881 Las Lomas Dr				946.5789	Food Pantry		x		x	
32	Sunga	Felimon	165 Valmy St				946.2952	Food Pantry		x		x	
33	Pereira	Robin	1828 Petaluma Ct				661.9913	Food Pantry		x			x
34	Munoz	Gloria	574 Heath					Food Pantry		x		x	
35	Vaheraney	Ronald	975 Milpitas Blvd					Food Pantry		x		x	
36	Campo	Mila	155 Evening Star					Food Pantry		x		x	
37	Dizon	Zenaida	907 Vasona St					Church group	Luna	x		x	
38	Leuterio	Emma	256 La Crosse Dr				202.1483	Church group	Luna	x		x	
39	Romero	Amelia	855 De Anza Ct				263.1717	Church group	Luna	x		x	
40	Vitug	Nora	733 Hamilton Ave				946.0723	Church group	Luna	x		x	
41	Halili	Candida	685 Quince Lane				942.7992	Church group	Luna	x		x	
42	Leuterio	Gavino	256 La Crosse Dr				202.1483	Church group	Luna	x		x	
43	Dizon	Romy	907 Vasona St				946.2205	Church group	Luna	x		x	
44	Romero	Tony	855 De Anza Ct				263.1717	Church group	Luna	x		x	Commissioner
45	Vitug	Benedict	733 Hamilton Ave				946.0723	Church group	Luna	x		x	
46	Halili	Rudy	685 Quince Lane				942.7992	Church group	Luna	x		x	
47	Odena	Jaime	121 Sandbury Ct				946.3652	Church group	Luna	x		x	
48	Galvan	German, Sr.	40 Images Cir				942.7998	Parish Adv Cncl		x		x	
49	Segovia	Norman	279 S. Main St				959.5836	Parish Adv Cncl		x		x	
50	Espino	Pera						Parish Adv Cncl		x		x	
51	Baltazar	Nellie	2018 Wellington Dr				942.5582	Parish Adv Cncl		x		x	
52	Baltazar	Elpidio	2018 Wellington Dr				942.5582	Parish Adv Cncl		x		x	
53	Sunga	Carmen	1328 Elkwood Dr				946.8889	Church seminar		x		x	
54	Sunga	Feliciano	1328 Elkwood Dr				946.8889	Church seminar		x		x	
55	Alud	Cesar	1745 Arizona Ave				263.0721	Church seminar		x		x	
56	Martinez	Ed	610 Vasona St				934.9406	Church seminar		x		x	
57	Baltazar	Rosemarie	1547 Kennedy Dr					Church seminar		x		x	
58	Baltazar	George	1547 Kennedy Dr					Church seminar		x		x	
59	Santos	Alexandro	623 N Park Victoria				719.1925	Church seminar		x		x	
60	San Gabriel	Jonas	1171 Columbus Dr					Church seminar		x		x	
61	Garcia	Al	1134 Ridgmont Dr				942.8952	CAC workshops		x		x	
62	Mohsin	Zeya	844 Hillview Dr				946.6199	CAC workshops		x		x	
63	Mohsin	Syed	844 Hillview Dr				946.6199	CAC workshops		x		x	
64	Cherry	Russell	2312 Lacey Dr				946.4005	CAC workshops			x		
65								CAC workshops			x		x
66	Lalwanl	Deepka	1278 Terra Alta Dr				958.9115	CAC workshops		x		x	
67	Swiger	Arlyn	1690 Tahoe Dr				262.8248	CAC workshops			x		
68	Jungers	Sheri	1440 Edsel Dr				946.9610	Milpitas Lions		x		x	
69	Stasko	Geraldine						Milpitas Lions					SAN JOSEI
70	Eckert	Ed	1287 Nieves Ct					Milpitas Lions		x			
71	Maglalang	Ray	1346 Lassen Ave				282.8425	Milpitas Lions		x		x	
72	Vinh	Thao					629.1188	Milpitas Lions		x		x	
73	Whiteside	Irene	1834 Blue Spruce Ct				581.3192	Milpitas Lions			x		
74	Irvine	Michelle	1873 Forest Ct				958.0858	Milpitas Lions		x		x	
75	Claudio	Terry	208 La Crosse Dr				263.3051	Milpitas Lions		x		x	
76	Sukovez	Steve	1881 Shpendoah Ave				282.9891	Milpitas Lions		x		x	
77								Milpitas Lions			x		x
78	Herrera	Peter	430 Evans Rd				590.0015	Milpitas Lions		x		x	
79	Stone	Barbara	415 Ferreira Ct				282.9055	Milpitas Lions		x		x	
80	Cooper	Cliff						Milpitas Lions					SAN JOSEI
81	Ryan	Don	2144 Cuesta Dr				806.1500	Milpitas Lions		x		x	
82	Anlonov	Lynette	2204 Shiloh Ave				283.2831	Neighborhood	Ranker		x		
83	Ranker	Craig	2204 Shiloh Ave				283.2831	Neighborhood	Ranker		x		x
84	Troung	Henry	1281 Arizona Ave				510.771.350	Arbor/Earth Day		x			x
85	Leung	Kent	696 Glen Ct				380.8898	Arbor/Earth Day		x		x	
86	Almazan	John	3719 Union st				623.9849	Neighborhood	Queenan		x		
87	Tov	Cindy	381 Paseo Refugio				946.7162	Neighborhood	Queenan		x		
88	Sanfeader	Ofelia	1038 Summerfield Dr				942.8057	Neighborhood	Queenan	x			x
89	Perera	Mike	787 Superior Rd				520.8287	Neighborhood	Queenan		x		
90	Thiell	Stacey	523 Sark Ct				946.3368	Neighborhood	Queenan	x		x	
91	Nguyen	Lien	496 Sark Ct				283.8818	Neighborhood	Queenan	x		x	
92	Lamb	Lelante	553 Sark Ct					Neighborhood	Queenan	x			
93	Davis	Jeff	230 Uvas St				230.0851	Neighborhood	Queenan	x		x	
94	Simoy	Stcy	1955 Everglades Dr				934.9445	Neighborhood	Queenan	x			x
95	Cacao	Freddy	678 Aberdeen Wy				946.0768	Neighborhood	Queenan	x		x	
													one 3-yr input
													minus 2 for SJ input
													15 are undecided
									77	15	69	8	

Changing mayor's term length to four years not likely to engage voting public

IT MIGHT BE a topic of intense interest to the circle of political insiders but we suspect the debate over the merits over raising the mayoral term length to four years from two would most likely bring forth a yawn from the average Milpitas voter.

The Milpitas Community Advisory Commission gave its report to the city council recently and was sent back to the drawing board. The commission overlooked the fact that council members, especially former mayor Bob Livengood, wanted some analysis of the total number of years that a mayor might serve as well as the length of each term.

Another useful suggestion the council might have made to the community advisory commission after hearing the report from Chair Al Garcia, might have been to do some surveying of average voters. Does Milpitas need to change the system it has used for the past quarter century?

In the mid 1970s, the voters were given a choice as to directly electing the mayor as opposed to the existing system of a mayor chosen by the council for a one-year term. Voters agreed to a separately elected mayor but chose by more than a 3-1 margin a two-year term rather than a four-year term. Is there any evidence that public opinion on this subject has changed over the years? We suspect not. That was 30 years ago! When there were ___ residents; and, we suspect, campaigns were much less influenced/run by "professionals"

The citizens advisory commission listed as advantages to the four-year term, the benefits of continuity both in carrying out long term agendas, and to increase the city's influence on regional bodies like the regional sits. They also touted the benefit of less campaigning both as a distraction for the candidate as well as a needed to raise huge campaign war chests almost continuously. The need to raise \$50,000 to \$100,000 for a campaign every two years is obscene. It means that those willing to give such money have an agenda of their own which may not be what is best for the community.

Voters, however, typically value highly the benefit of having mayoral candidates come back every two years for an accountability check as opposed to building continuity. As a practical matter, the power of the incumbency has meant that mayors always get re-elected, even when there is a spirited challenger. This negates the continuity claim on both the issue of agendas and regional bodies. [IF "always get re-elected," THEN WHY THE NEED TO PUT THE MAYOR, THE CANDIDATES, AND THE ELECTORATE THROUGH THE STRESS OF AN ELECTION, where the candidates are subjected to the temptation/risk/lure to be involved in "unethical campaigns"

More to the point might well be to sample public opinion about the number of years a mayor can serve. Right now the limit is three two-year terms and out. That's why ex-mayor Henry Manayan is running for the legislative nomination in the 20th Assembly district. Thus a council member can serve 12 years (three four-year terms) but as mayor only gets half of that. They can be combined, however, to serve longer, such as Manayan serving a term as a councilman and later his three mayoral terms.

The good research work done by the community advisory commission shows that cities with four-year terms for mayors tend to be larger. In many states, the mayor has a more powerful role in local government as opposed to California which is dominated by the city manager system. In Milpitas, the mayor primarily presides over council meetings and reigns as Milpitas' ceremonial leader when VIPs show up or when recognitions are handed out. The representation on regional bodies is divided widely among all the council members.

Some mayors, over the years, have made the office into more of a driving force because of their individual personalities or ambition. But without budget responsibility (as in charter cities like San Jose or San Francisco) or appointment responsibilities, things won't really be much different whether the term is two years or four years. We would be surprised if voters give up the short leash they've kept on mayors for the past 25 years.